

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: AVANDIA MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

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**MDL No. 1871
07-md-01871-CMR
HON. CYNTHIA M. RUFE**

**THIS DOCUMENT RELATES TO ALL
ACTIONS**

**ELEVENTH REPORT AND RECOMMENDATION OF
THE SPECIAL MASTER AS TO PRODUCTION OF BASIC MEDICAL RECORDS**

Pretrial Order No. 28 sets forth the procedures regarding discovery disputes and directs the parties first to present discovery disputes to the Special Discovery Master for informal mediation efforts. The parties have met and conferred in an attempt to agree on a procedure governing plaintiffs' production of basic medical records. At a conference held with the Special Discovery Master on December 15, 2009, the parties reached an agreement on such a procedure. As a result, the Special Discovery Master recommends adoption of the Procedure for Production of Basic Medical Records agreed on by the parties and set forth in the proposed Pretrial Order attached hereto.

Dated: December 21, 2009

/s/ Jerome J. Shestack

Jerome J. Shestack, Special Master

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CERTIFICATE OF SERVICE

I, Bruce P. Merenstein, hereby certify that on December 21, 2009, I caused to be electronically filed the foregoing **Eleventh Report and Recommendation of the Special Master As To Production of Basic Medical Records**. Through the Court's ECF system, this document is available for viewing and downloading.

/s/ Bruce P. Merenstein

Bruce P. Merenstein